

# **EXHIBIT B**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

Ocean Semiconductor LLC,

Plaintiff

v.

Silicon Laboratories Inc.,

Defendant.

Civil Action No.: 6:20-cv-1214

JURY TRIAL DEMANDED

PATENT CASE

**DECLARATION OF ALEX CHAN IN SUPPORT OF PLAINTIFF OCEAN SEMICONDUCTOR LLC'S OPPOSITION TO DEFENDANT SILICON LABORATORIES INC.'S MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM**

I, Alex Chan, Esq., declare as follows:

1. I am a partner at the Devlin Law Firm LLC. I am currently in good standing and licensed to practice in the State of Texas and a member of the bar of this Court.

2. I am counsel of record for Plaintiff Ocean Semiconductor LLC, (“Ocean”) in this action, and make this Declaration in support of Ocean’s contemporarily-filed Opposition to Defendant Silicon Laboratories Inc.’s (“Silicon Labs”) Motion to Dismiss for Failure to State a Claim. The facts set forth herein are true to my personal knowledge, and if called upon to testify thereto, I could and would competently do so under oath.

3. Attached as Exhibit 1 to this Declaration is a true and correct copy of Silicon Labs’ “Process Change Notice #1011021” (“Notice”) publicly announcing that a Taiwan Semiconductor Manufacturing Company Ltd. (“TSMC”) fabrication facility (called “Fab10”) has been contracted as a “Fabrication site for Silicon Labs MCU products,” which, according to that

same notice, is “an additional Fabrication site for Silicon Labs MCU products currently being fabricated in TSMC’s Fab3 site.” This Notice suggests that Silicon Labs communicated with TSMC, tested the accused products, and along the way, gained knowledge about the fabrication processes adopted and tools used by TSMC to make the products in announcing the “successful qualification” of TSMC.

4. Attached as Exhibit 2 to this Declaration is a true and correct copy of an email from counsel for Ocean to counsel for SiLabs dated March 10, 2021 showing that counsel for Silicon Labs knew that claim 1 is not being asserted under Section 271(g), as confirmed by counsel for Ocean, but nevertheless fabricated an excuse in order to seek an impermissible extension to file its answer beyond the maximum 45 days permitted by this Court.

5. Attached as Exhibit 3 to this Declaration is a true and correct copy of select pages from the “Silicon Labs Quality and Operations Overview,” showing that Silicon Labs has actual knowledge of other “unnamed” and unpublished fabricators which are responsive to Ocean’s allegations. Further, this demonstrates knowledge to which Ocean is no privy based on the secretive nature of this information.

I declare under penalty of perjury under the laws of the United States that to the best of my knowledge and recollection the foregoing is true and correct.

Executed this 8<sup>th</sup> day of April, 2021.

/s/ Alex Chan  
Alex Chan